UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1992/NGO/4
4 August 1992

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Forty-fourth session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by Habitat International Coalition, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[20 June 1992]

The destruction of "unrecognized" villages

1. Habitat International Coalition would like to draw the attention of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to discrimination and denial of housing rights to some 40,000 citizens of Israel. According to recent reports from concerned organizations in that country, some 176 communities of Palestinian Arab citizens of that State are slated for certain demolition under a series of policy and legislative measures currently in place.

GE.92-12889/0302K

2. In 1986, an Israeli interministerial commission, known as the Markowitz Commission, issued the legal blueprint for these villages to be destroyed and their populations to be transferred to rekuz ("concentration") points which are planned or already exist in remote areas of the country. By this process, these citizens will be denied any relationship to their ancestral lands - or any land - while these communities continue to be prevented from developing to meet their present and future needs. The current policy of dispossessing and transferring this distinct group of citizens will result in their internal displacement through a process of forced evictions and house demolitions.

3. These villagers are, in general, the poorest and most vulnerable of Israel's citizens. Government programmes for physical development and social services have specifically excluded them since the establishment of the State in 1948. Their existence is not acknowledged on any Israeli map, although they have existed in their locations since long before 1948. Much smaller and newer Jewish settlements have been formally established, developed and provided with full services, all of which are denied to the Arab villages. This policy and practice create conditions by which certain fundamental rights, such as the right to adequate housing and development, are subject to select ethnic criteria.

4. The 1986 Markowitz Commission plan initially called for the demolition of 11,617 "illegal" Arab homes and a ban on all future development, construction and repair in the "unrecognized" villages. Demolition began under the plan in 1988. Although the Israeli Government has remained largely reticent about the extent of the demolitions to come, Israeli planners now refer to 96 psurot (clusters of habitation) facing destruction in Galilee, 30 in the Haifa District and 50 in the Naqab (Negev) region to the south.

Galilee

5. The General Assembly, in its resolution 181 (II) of 29 November 1947, did not allot the mountainous central Galilee to the Jewish State in Palestine; Israeli forces captured this region in two military campaings in 1948. The State of Israel immediately proceeded to demolish over 400 newly depopulated Palestinian villages in all areas designated as Jewish under the United Nations partition plan, but most indigenous villages in central Galilee were left intact. However, this area has since been the focus of intense Jewish settlement programmes which have accompanied vast confiscations of land and property from these Palestinian citizens who have remained in their country. After decades of neglect, Israel now seeks to eliminate the smallest of the surviving villages.

6. In the 1970s, the Jewish Agency established a series of Jewish mitzpim (lookouts) to dominate and extend Israeli Jewish possession over the Galilean Arab villages. This settlement scheme did not achieve its desired results, because most new immigrants preferred not to settle in such rural outposts, and the Jewish Agency and the Israeli Ministry of the Interior set out to implement alternative programmes. In 1976, the Interior Ministry issued the "König Document" which called for the further confiscation of Arab citizens' property and land in order to advance the "Judaization" of Galilee. Arab

citizens protested against this policy in 1976, and Israeli forces responded by fatally shooting six villagers in an event commemorated on Palestinian calendars as the "Day of the Land".

7. In order to complete the "Judaization" process, two elements were required: a legal machinery and an influx of immigrants. In 1976, legislation empowered the Minister of the Interior to confiscate lands from Arab citizens for "public" (i.e. exclusively Jewish) use. Although a number of legal steps are involved in land confiscations and Jewish settlement, the Ministry of the Interior exercises effective veto power over local planning commissions and the needs of citizens. One common method of confiscation involves "jurisdictional transfer" of the land and property of Palestinian Arab citizens to an Israeli Jewish regional council, which then reserves the authority to confiscate 40 per cent of these jurisdictional lands for "public purposes". Such lands are often quietly confiscated by the State, and actual seizure takes place when a pretext arises much later.

8. The fate of the 60-year-old Galilean village of Ramya is a case in point. Without notifying the residents, the Minister of the Interior confiscated Ramya's lands in 1976, but the Israeli Lands Authority evicted the 100 villagers in 1991 on the pretext that their village was "illegal". The land was instead designated for the expansion of the neighbouring Jewish town of Karmiel, which planned to build new housing units for Russian immigrants on the Ramya villagers' lands. The case proceeded to the Israeli High Court, which rejected the villagers' appeal on 1 March 1992.

Haifa and Central Districts

9. Current developments toward the destruction of the Arab villages in the Haifa and Central Districts are based on a comprehensive, 20-year plan of the World Zionist Organization/Jewish Agency. The Ministry of Housing is accelerating these designs under the "Seven Stars" plan, which erases the "green line" by creating an unbroken link between metropolitan Tel Aviv and illegal West Bank settlements. Furthermore, the seven Jewish settlements constituting the "Stars" plan will prevent the contiguity of centuries-old Arab villages and destroy the economic base of the citizens who reside there by confiscating their lands and building roads, housing and industrial parks for the benefit of "Jewish nationals" only.

10. The social engineering objective of the "Seven Stars" plan is to alter the current demographic ratio of 71 per cent Israeli Arabs to 29 per cent Israeli Jews to 36 per cent Arabs to 64 per cent Jews. In the process, at least four "unrecognized" villages (Mansur, Aryan, Sharaya and Hanun) will be demolished in the near term, and the economies of six larger Arab villages and municipalities will be decimated. Ultimately, some 30 Arab villages in this region are slated for demolition in connection with this and future schemes.

The Naqab (Negev) region

11. In 1948, Israeli military authorities entered into a pact with the representatives of the settled Arab population in the arid Naqab region to respect their property, honour and land rights. Nevertheless, in the early

1950s, these same authorities forcibly transferred the Naqab residents to a concentrated zone (syag) north-east of Bi'r Sab'a (Beersheva) town. After lifting the military administration in 1967, the Israeli Government began to concentrate this naturally increased population even more into seven "planned" townships lacking any economic base. Like in the north of the country, the State seeks to complete its "Judaization" of the Naqab by eliminating the presence of native Palestinian Arabs, regardless of their status as "citizens".

12. Despite the fact that the Government frequently demolishes homes, closes schools, cuts off drinking water, confiscates animals and denies medical care and basic services, some 60 per cent of the 75,000 Arab citizens living in the Naqab have so far resisted forcible displacement and transfer. The Markowitz Plan initially called for the demolition of 6,601 of their homes in 1986, but this number is today estimated at approximately 8,000.

13. The Israeli Ministry of the Interior has boasted that, in 1988-1990, rural Palestinian homes in the Naqab were demolished at a rate of one every other day. The demolition orders generally force the owners to destroy their homes with their own hands, otherwise they face stiff penalties if the authorities carry out the destruction. The practice has continued, and reportedly increased during the 1991 war in the Middle East.

14. On 4 March 1991, Israeli Government authorities, accompanied by 500 troops from the Border Patrol and Green Patrol, blew up nine buildings (seven homes and two animal shelters) belonging to the Abu Kaf and al-Qsasi families who live five kilometres from the government planned "concentration point" of Hura. The 35 members of the families - including 3 infants a few months old, a 12-year-old paraplegic girl and a 75-year-old woman - were forcibly removed to the nearest "concentration point" with no economic means of survival.

Conclusion

15. The pretext for such destruction and forcible displacement is the official priority of settling Jews in the area. This pretext itself constitutes discrimination; however, these villages of 100 to 600 residents are ordered to be demolished without an apparent need for immigrant resettlement. Some Jewish settlements are created on agricultural or grazing lands, or village property confiscated from Arab citizens for the benefit of only 6 to 20 Jewish families, as in the case of the Galilean mitzpim. Other lands are taken for Jewish-only settlements of a mere handful of Jewish residents, as in the case of one settlement in the Naqab wherein Arab lands were confiscated for a two-person kibbutz.

16. The majority of villagers face demolition orders without legal counsel. With representation, the legal appeals process generally takes two years, and the Settlements Court and High Court in the Naqab are burdened with 40 to 60 demolition appeals a day. To date, no appeal of a demolition order has ever been upheld in an Israeli court.

17. This State policy and practice, upheld at every level of the Israeli judicial process, form a pattern of abuse which deserves the attention of this Sub-Commission. Obligations under a variety of international treaties are at

stake in the neglect and destruction of the "unrecognized" Arab villages in Israel. Civil and political rights are affected by such institutionalized discrimination, collective punishment and complicity of the judiciary. Implementation of the Arab minority's economic, social and cultural rights is also called into question by the overt violation of the right to adequate housing, health, a decent living and education, and the denial of other basic social services to the Palestinian Arab minority. The human rights implications of this systematic denial of the right to housing - to a place to live in peace and dignity - involve issues that are currently under review by this body, such as forced evictions and population transfers.